

Remarks

Applicants have read and considered the Office Action dated December 23, 2003.
Claims 1, 2, 7, 9, 14 and 39-43 remain pending.

In the Action, claims 1, 2, 7, 9, 14 and 39-43 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,425,918. The Action stated that although the claims are not identical, they are not patentably distinct as the claims of the current application are broader in scope than the claims of the issued patent. Applicant submits an attached Terminal Disclaimer and asserts that the obviousness-type double patenting rejection is traversed by the Terminal Disclaimer.


As the only rejection in the Action was a double patenting rejection, Applicants assert that the claims are in condition for allowance.

A speedy and favorable action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicants' representative at (612) 336-4728.

Respectfully submitted,

MERCHANT & GOULD P.C.

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